

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.59338-M of 2006

DATE OF DECISION:16.11.2006

Aman Kumar Petitioner

Versus

State of Haryana Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri VS Punia, Advocate
for the petitioner.

Shri M.S. Sindhu, DAG, Haryana.

Petitioner Aman Kumar apprehending his arrest in a non-bailable offence in case FIR No. 198 dated 13.9.2006 under Sections 420/467/468/471 IPC, registered at Police Station Garhi, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that the allegation against the petitioner, who is depot holder, is that he had made fake entries in the sales register and embezzled the said quantity of ration, which was never sold to the card holders. Counsel further contends that not a single card holder has made any complaint in this regard and the aforesaid allegation is without any substance and material.

Counsel for the petitioner further contends that in view of the order dated 26.9.2006, the petitioner has joined the investigation. Counsel for the respondent-State on instructions from ASI Rajinder Singh does not dispute this fact and further states that the petitioner is no more required for custodial interrogation.

In view of the above, the interim bail, granted vide order dated 26.9.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

November 16, 2006
pooja

(SATISH KUMAR MITTAL)
JUDGE